

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

AMERICAN MANUFACTURERS MUTUAL
INSURANCE COMPANY,

Plaintiff,

vs.

TOWN OF NORTH BROOKFIELD,

Defendant.

Civil Action No. 03-40266-CBS

AFFIDAVIT OF DEBORAH S. GRIFFIN IN SUPPORT OF
PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON
COUNT III OF DEFENDANT'S COUNTERCLAIM

I, Deborah S. Griffin, am an attorney in the Boston office of Holland & Knight LLP and counsel of record for American Manufacturers Mutual Insurance Company ("AMMIC") in this matter. I have personal knowledge of the following, except where stated to be upon information and belief. I make this affidavit in support of Plaintiff's Motion for Summary Judgment on Count III of Defendant's Counterclaim.

1. Attached hereto as Exhibit 1 is a true and accurate copy of a letter I delivered to Thomas W. McEnaney, counsel for the Town of North Brookfield, on December 3, 2003, without its enclosures. The letter accurately describes the enclosures.

2. Attached hereto as Exhibit 2 is a true and accurate copy of the Town of North Brookfield's Voluntary Disclosure Pursuant to Fed. R. Civ. P. 26(a)(1)(A), (B), (C) and (D). This document was served upon me on or about July 28, 2004. The Plaintiff amended this disclosure on or about April 12, 2005, but did not make any changes to Section C.1.

3. Attached hereto as Exhibit 3 is a true and accurate copy of a letter I received from Mr. McEnaney on or about November 3, 2003, without its enclosure.

Signed under the penalties of perjury this 16th day of December, 2005.

/s/ Deborah S. Griffin

Deborah S. Griffin

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